

CITY OF WEST DES MOINES BOARD OF ADJUSTMENT COMMUNICATION

Meeting Date: December 17, 2014

Item: Blessings, Inc., (D/B/A Care for Kids) – Kathleen Rasmussen – 6820 Ashworth Road – Approval of a Permitted Conditional Use Permit to permit a daycare facility – PC-002536-2014

Requested Action: Approval of a Permitted Conditional Use Permit

Case Advisor: Brian Portz *BP*

Applicant Request: The applicant, Blessings, Inc., doing business as, Care for Kids, represented by owner Kathleen Rasmussen, in cooperation with the property owner, Grace West Church, is requesting approval of a Permitted Conditional Use Permit (PC) to allow the operation of a daycare within the basement of the existing West Grace Church located at 6820 Ashworth Road. The property is zoned Residential Medium Density (RM-8). A daycare facility (SIC 8351) is a Permitted Conditional Use within this zoning district. The applicant is proposing to open a daycare facility to provide care for children aged 3 to 13. Before and after school care will be provided for school aged children and all day care for children aged 3 to 5 who have not yet entered kindergarten. There will be a summer camp for children that will run for the duration of the summer and will include field trips and on site activities for the children. As regulated by the State of Iowa, the facility will be permitted to have up to 69 children. The hours of operation will be 7:00 AM to 5:30 PM, Monday through Friday. The children will utilize the existing playground on the property. There will be no exterior changes to the building or the property as a result of this request, except that a fence may be constructed around the playground in the spring of 2015.

History: This property was platted as a part of an Auditor's Plat in 1977. The property was annexed into the City in 1990 as a part of the Ashworth Road (60th Street to then 74th Street) annexation. According to the Dallas County Assessor, the Church building was constructed in 1993 with building additions constructed in 1995.

City Council Subcommittee: This item was presented to the Development and Planning City Council Subcommittee on November 20, 2014, as an informational item only. No discussion was had and no disagreement with the proposal was expressed.

Staff Review and Comment: This request was distributed to other City departments and other agencies for their review and comment. There are no outstanding issues.

Findings: The Permitted Conditional Use Permit for Blessings, Inc., (D/B/A Care for Kids), to permit the operation of a daycare facility (SIC 8351) was reviewed by various City departments. Based upon that review and the conditions of approval, the following findings have been made on the proposed project:

1. The proposed development and use is consistent with the West Des Moines Comprehensive Plan in that the project has been reviewed for consistency with the Comprehensive Plan. Based upon that review, a finding has been made that the proposed project is consistent with the Comprehensive Plan in that the project is consistent with all of the goals and policies of the Comprehensive Plan. *Per City Code, SIC 8351 may be allowed within the subject property's zoning district which is consistent with the land use designated for the property as part of the adopted Comprehensive Plan Land Use Map.*
2. The proposed development and use does assure compatibility of property uses within the zone and general area in that this project was reviewed by various City Departments for compliance with the Zoning Ordinance. *No physical changes to the property itself is being done. The proposed use has very limited exterior aspects in the intended operation that would affect adjoining properties.*
3. All applicable standards and conditions have been imposed which protects the public health, safety and welfare in that this project was reviewed by various City Departments and public agencies for compliance

with the various state and local regulations. Based upon that review a finding is made that the project has been adequately conditioned to protect the health, welfare, and safety of the community. *The operation is regulated by the State and has provided the appropriate information necessary for the State to deem the operation suitable.*

4. There is adequate on-site and off-site public infrastructure to support the proposed development in that this project was reviewed by various public agencies and City Departments and public utilities to ensure that either the petitioner will construct or the project has been conditioned to construct adequate public infrastructure to serve the development. *There are no anticipated impacts to the city's public infrastructure that would warrant concerns or necessary improvements or enhancements.*
5. The proposed development and use has met the requirements contained in the City Code in that this project was reviewed by various City Departments and public agencies and the project has complied with or has been conditioned to comply with all City Code requirements. *The existing site provides all necessary on-site requirements such as parking, open-space, landscaping, etc.*
6. The proposed development and use is in keeping with the scale and nature of the surrounding neighborhood in that the proposed project is consistent with the Zoning regulations and the Comprehensive Plan which designates this site as suitable for development such as that proposed by this project. *Daycare operations are desired in residentially zoned areas to provide child care opportunities to residents of the local neighborhoods.*

Staff Recommendations and Conditions of Approval: Based upon the above review, a finding of consistency with the goals and policies of the Comprehensive Plan, and compliance with the findings necessary for approval, staff recommends the Board of Adjustment adopt a resolution for approval of the Permitted Conditional Use Permit to allow a daycare facility (SIC 8351), subject to meeting all City Code requirements.

Noticing Information: On November 28, 2014, notice of the December 17, 2014 Board of Adjustment Public Hearing on this project was published in the Des Moines Register Community Section. Notice of this public hearing was also mailed to all surrounding property owners within 370 feet of the subject property on November 26, 2014.

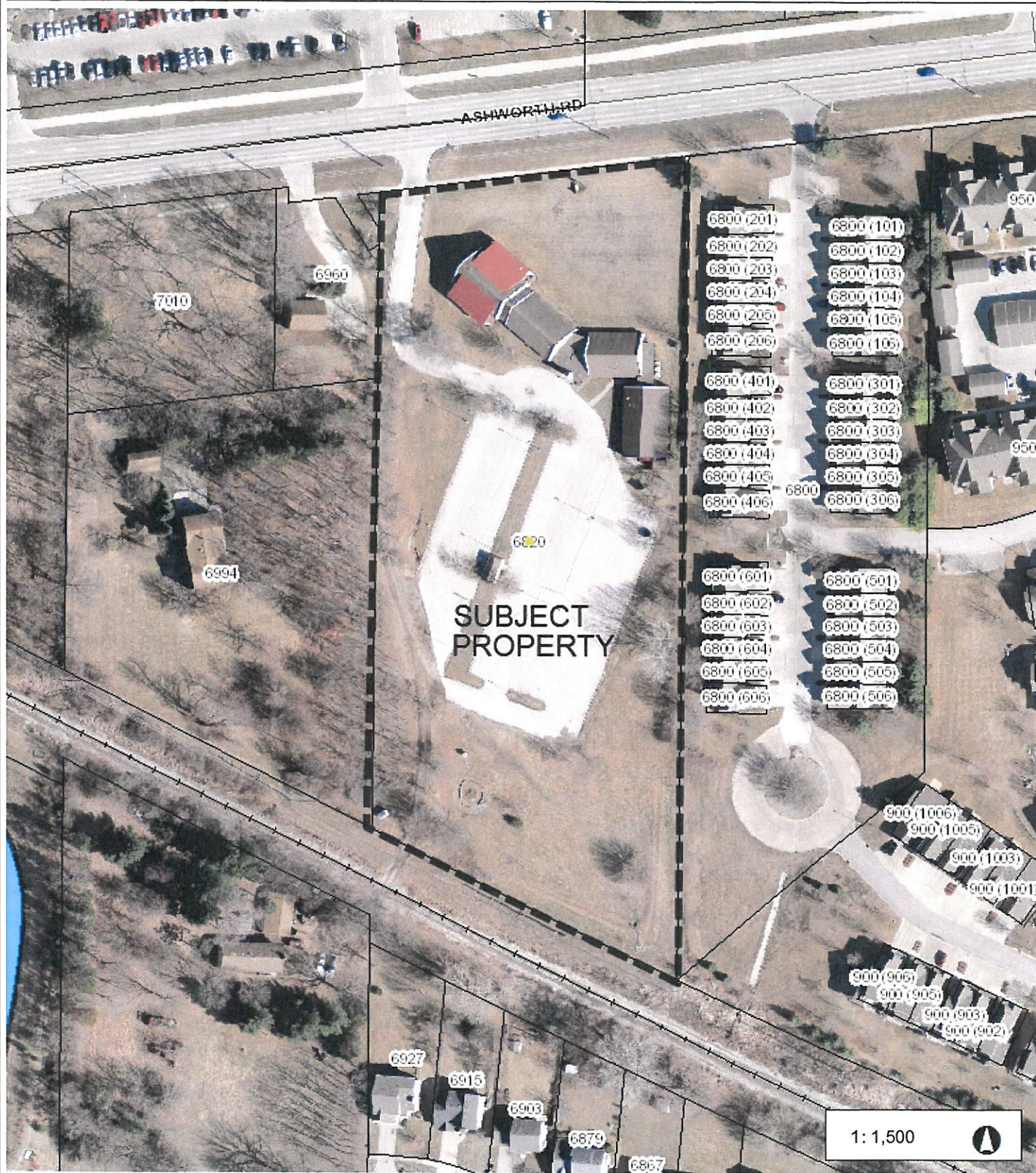
Applicant: Kathleen Rasmussen
Blessings, Inc., (D/B/A Care for Kids)
3409 Scenic Vista Drive
West Des Moines, Iowa 50265
Kathleen.rasmussen52@gmail.com

Property Owner: Grace West Church
6820 Ashworth Road
West Des Moines, Iowa 50266
office@gracewest.org

Attachments:

Attachment A	-	Location Map
Attachment B	-	Site Plan
Attachment C	-	Letter from Applicant
Attachment D	-	Resolution
Exhibit A	-	Conditions of Approval

6820 Ashworth Rd

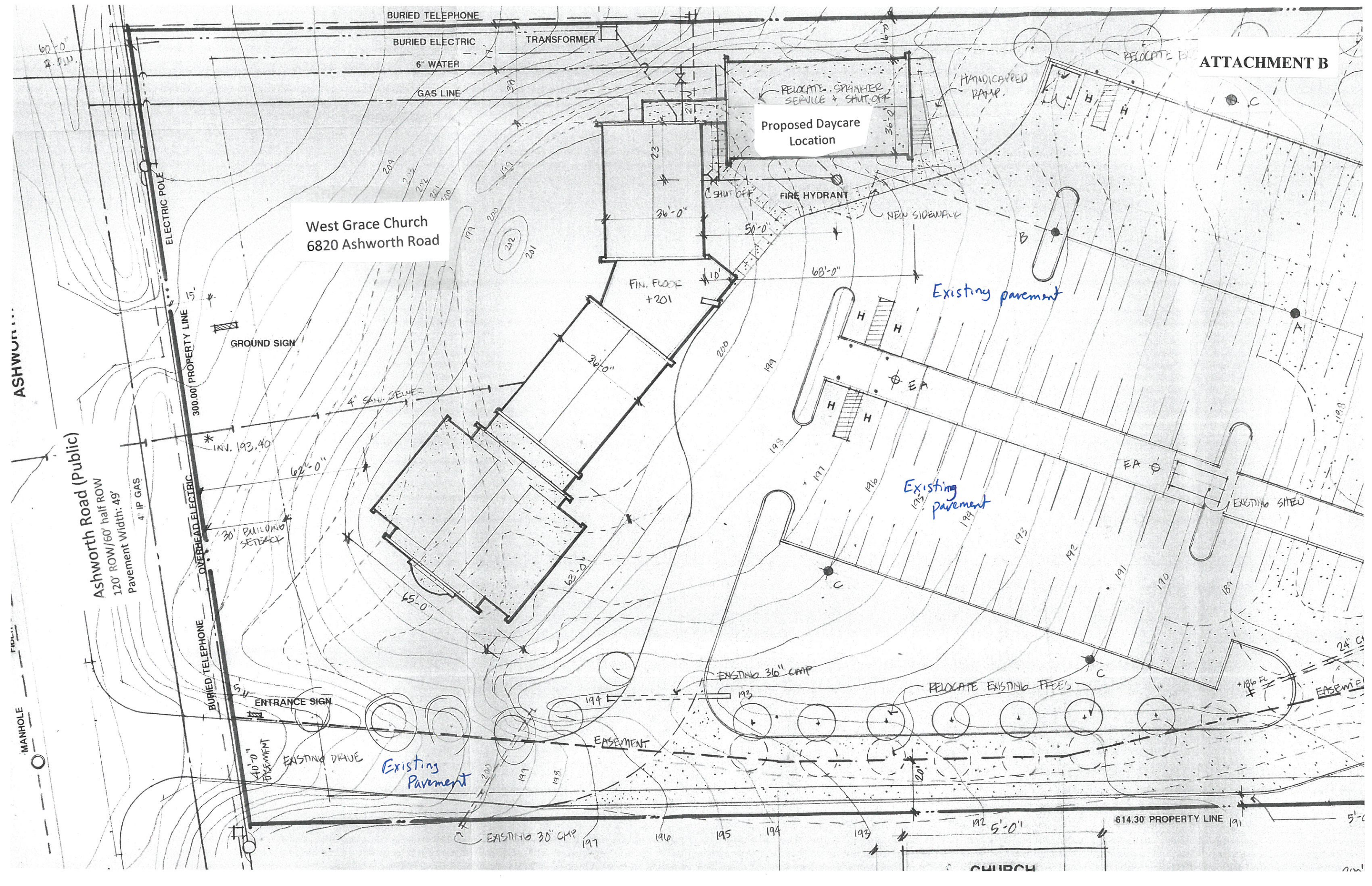


250.0 0 125.00 250.0 Feet

NAD_1983_StatePlane_Iowa_South_FIPS_1402_Feet
 © City of West Des Moines, Iowa

Disclaimer: The City of West Des Moines makes no warranties
 regarding the accuracy or completeness of the data provided
 herein.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



West Grace Church
6820 Ashworth Road

Proposed Daycare
Location

Existing pavement

Existing
pavement

Existing
Pavement

To the City of West Des Moines Board of Adjustments:

Dear Members of the Board:

My proposal is to create and implement a Day Care Center in the basement of West Grace Church located at 6820 Ashworth Road in West Des Moines, Iowa.

After presenting my proposal to Pastor Bob Deever of Grace West Church and having met with the Deacons and the Elders of Grace West Church my proposal was accepted and voted upon on Sunday, November 2nd to the members of the Congregation. Per the by-laws of their Church, my proposal needed a 75% approval rate to pass. I am happy to say that the vote of approval for my day care came in at 84%.

My center will provide care for children ages 3-13. Care will be provided for school aged children before and after school, and for children ages 3-5 whom have not yet started school. My hours of operation would be 7:00 a.m. to 5:30 p.m. Monday through Friday. I would also provide a summer camp for the children in which we would take numerous field trips and create fun and healthy activities for the children. The children would use the existing playground and inside enhancements would include carpeting and trim of the rooms designated for the center and the addition of two sinks to the basement area. Proposed enhancements to the outside would be the construction of a fence around the existing play area sometime in the Spring of 2015.

"Blessings INC. Care for Kids" is the name of the Day Care Center.

Owner and Operator : Kathleen Rasmussen. My contact information is as follows: 3409 Scenic Vista Drive, West Des Moines, Iowa 50265. Email: Kathleen.Rasmussen52@gmail.com Cell phone: 1-515-556-5693 Home Phone 1-515-223-4986. I have been working for several weeks with Nate Knepper, State of Iowa Day Care Consultant on becoming licensed with the State of Iowa.

B. Portz, City of West Des Moines Development Services, P.O. Box 65320, West Des Moines, IA 50265-0320, 515-222-3620
When Recorded, Return to: City Clerk, City of West Des Moines, P. O. Box 65320, West Des Moines, IA 50265-0320

RESOLUTION

**A RESOLUTION OF THE BOARD OF ADJUSTMENT OF THE CITY OF WEST DES MOINES,
APPROVING A PERMITTED CONDITIONAL USE PERMIT (PC-002536-2014) TO ALLOW A
DAYCARE FACILITY (SIC 8351).**

WHEREAS, pursuant to the provisions of Title 9, Zoning, Chapter 1 et seq. of the West Des Moines Municipal Code, the applicant, Blessings, Inc. (D/B/A Care for Kids), in cooperation with the property owner, West Grace Church has requested approval of a Conditional Use Permit (PC-002536-2014) for that property located at 6820 Ashworth Road and legally described below for the purpose of opening a daycare facility (SIC 8351);

Legal Description of Property

**LOT 5, AUDITORS PLAT OF THE NE ¼, NW ¼, OF SECTION 12 TOWNSHIP 78
NORTH RANGE 26 WEST OF THE 5TH PM, DALLAS COUNTY, IOWA**

WHEREAS, studies and investigations were made, and staff reports and recommendations were submitted which is made a part of this record and herein incorporated by reference;

WHEREAS, on, December 17, 2014, this Board of Adjustments held a duly-noticed hearing to consider the application for a Permitted Conditional Use Permit for Blessings Inc. (D/B/A/ Care for Kids) (PC-002536-2014);

NOW, THEREFORE, THE BOARD OF ADJUSTMENTS OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

SECTION 1. The findings, for approval, stated in the staff report, dated December 17, 2014, or as amended orally at the Board of Adjustment meeting of December 17, 2014, are adopted.

SECTION 2. Permitted Conditional Use Permit for Blessings, Inc., doing business as Care for Kids (PC-002536-2014) to open a daycare facility (SIC 8351) at 6820 Ashworth Road is approved, subject to compliance with all the conditions in the staff report, dated December 17, 2014, including conditions added at the meeting, and attached hereto as Exhibit "A". Violation of any such conditions shall be grounds for revocation of the entitlement, as well as any other remedy which is available to the City.

PASSED AND ADOPTED on December 17, 2014.

Jennifer Drake, Chairperson
Board of Adjustment

ATTEST:

Recording Secretary

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Board of Adjustments of the City of West Des Moines, Iowa, at a regular meeting held on December 17, 2014, by the following vote:

AYES:

NAYS:

ABSTENTIONS:

ABSENT:

ATTEST:

Recording Secretary

EXHIBIT A
Conditions of Approval

1. None.